

**RECEIVED
CENTRAL FAX CENTER**

FEB 28 2006

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 10778.00016**

In the Application of:

John W. von Holdt Jr.

Serial No. 10/621,549

Filed: July 17, 2003

For: **PLASTIC CONTAINER
AND LID CONSTRUCTION**

Examiner Nici Marina Bloshway

Art Unit 3727

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA, 22313-1450

**AMENDMENT IN RESPONSE TO THE
OFFICE ACTION DATED SEPTEMBER 30, 2005**

Sir:

This is in response to the Official Action of September 30, 2005. Applicant submits herewith a Terminal Disclaimer with respect to pending application Serial No. 10/722,169 which I believe obviates the objections to the double patenting rejection.

Amendments to the claims are set forth beginning at page 2. These amendments are responsive to the rejections pursuant to 35 USC Section 112 and a correction to the status of claim 2 as withdrawn. It is properly indicated as being cancelled.

The Remarks are set forth beginning at page 7.

Banner & Witcoff, Ltd.
Ten South Wacker Drive
Chicago, Illinois 60606
(312) 463-5000
497621

Serial No. 10/621,549
Attorney Docket No. 10778.00016